

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No 1189 of 1980

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgement?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

JASHUBHAI AMBALAL RAY

Versus

CENTRAL BANK OF INDIA

Appearance:

MR TJ PATEL for MR MM PATEL for appellant
MR KC SHAH for Respondent No.1 -Central Bank of
India
No one has appeared for other respondents nos.2 & 3.

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 30/06/2000

ORAL JUDGEMENT

This is defendant's First Appeal, directed
against the judgment and decree passed by the 3rd
Jt.Civil Judge (Senior Division), Baroda, in Special

Civil Suit No.279/77, on 26th June 1978 whereby the plaintiff's suit was decreed for a sum of Rs.16,745.77 against the defendants, jointly and severally with interest at the rate of 19% from the date of filing of the Suit till the date of realisation in five yearly instalments on the principal amount of Rs.14,279.35 as mentioned in the operative part of the order.

When the case was called out, learned Counsel for the respondent Central Bank of India, Mr.K.C.Shah has produced a letter dated 29th February 2000 sent to him by the Branch Manager of Central Bank of India, Rajmahal Road, Br.Baroda, informing him that the borrower has settled their all dues in March 1998 which are the subject matter of this appeal. Mr.T.J.Patel, learned Counsel for the appellant submits that he is not in a position to controvert this statement. In view of this letter dated 29th February 2000 produced by Mr.Shah as addressed to him by the Branch Manager of the aforesaid Bank, it is clear that nothing survives in this appeal now. The letter dated 29th February 2000 produced by Mr.Shah will remain on record. This appeal is accordingly disposed of. In the facts and circumstances of this case, no order as to costs.

30th June 2000 (M.R. Calla, J.)